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October 27, 2004

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: **NOTICE OF *EX PARTE* MEETINGS**
IB Docket No. 02-10
Use of Satellite Earth Stations on Board Vessels

Dear Ms. Dortch:

On October 26, 2004, Mary Ellen Kramer, President, and Zevi Kramer, Chief Information Officer, of Broadband Maritime, Inc. (“Broadband Maritime”) and I had three *ex parte* meetings regarding the above-referenced docket. We met with:

- Ed Thomas, Julius P. Knapp, and Ira R. Keltz of the Office of Engineering and Technology;
- Lisa Cacciatore, Richard B. Engelman, Howard Griboff, Jennifer Gorny, Scott Kotler, Paul Locke, David Strickland and Thomas S. Tycz of the International Bureau; and
- John B. Muleta, Thomas P. Stanley, Aaron Goldberger, Michael J. Wilhelm, Peter J. Daronco, Nancy Zaczek and Michael Pollak of the Wireless Telecommunications Bureau.

Broadband Maritime operates a network of earth stations on board vessels (“ESVs”) using the 5925-6425 MHz/3700-4200 MHz band (“C-Band”) on board foreign-registered merchant marine ships pursuant to No. 4.4 of the Radio Regulations of the International Telecommunications Union (“ITU”).

In all three meetings, we discussed issues addressed in the comments and reply comments filed by Broadband Maritime, including:

- The public interest need for ESV service;
- The reasons for permitting operations on a non-interference basis without frequency coordination and why it would be impractical, costly and unduly burdensome for Broadband Maritime to frequency-coordinate C-Band use at each of the United States ports; and
- The reasons why it is extremely unlikely that Broadband Maritime's ESV operations would cause harmful interference to terrestrial fixed microwave operations and methods for real time monitoring to protect terrestrial fixed services from interference from ESVs operating on an uncoordinated, non-interference basis.

At all three meetings, we handed out a copy of the attached analysis which responds to theoretical claims of interference made by the Fixed Wireless Communications Coalition ("FWCC") in its *ex parte* letter of July 29, 2004. We explained that the analysis of the FWCC was based upon faulty assumptions and the reasons why those assumptions were incorrect.

In addition, at the meeting with the International Bureau, we discussed the public interest need to routinely authorize 2.4 meter antennas for the C-Band ESV use and explained that the parameters required by Annex 2 to International Telecommunications Union ("ITU") Resolution 902 adopted at WRC-03 protect adjacent satellites spaced two-degrees apart.

Very truly yours,

/S/

Eliot J. Greenwald

Cc : Lisa Cacciatore
Peter J. Daronco
Richard B. Engelman
Aaron Goldberger
Howard Griboff
Jennifer Gorny
Ira R. Keltz
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